

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Tony Terrail Daniels

Docket No. 5:10-CR-327-2H

Petition for Action on Supervised Release

COMES NOW Maurice J. Foy, Senior U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Tony Terrail Daniels, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess With Intent to Distribute 50 Grams or More of Cocaine Base (Crack), 21 U.S.C. § 846, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on January 11, 2012, to the custody of the Bureau of Prisons for a term of 135 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

On March 22, 2016, pursuant to 18 U.S.C. § 3582(c)(2), the defendant's term of imprisonment was reduced from 135 months to 108 months.

Tony Terrail Daniels was released from custody on March 02, 2018, at which time the term of supervised release commenced.

On March 20, 2018, the court was notified that the defendant provided a urine sample on March 6, 2018, that returned positive for marijuana on March 12, 2018. As a result of this noncompliance, it was recommended that he be afforded the opportunity to participate in substance abuse treatment and in the Surprise Urinalysis Program. The court concurred.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On March 22, 2018, the defendant provided a urine sample that returned positive for cocaine on March 31, 2018. This is the defendant's second positive urine test since starting supervision. As a result of his continued noncompliance, the probation office is recommending that he be continued in substance abuse treatment, the Surprise Urinalysis Program and complete a 30 day period of Location Monitoring (curfew). The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 30 consecutive days. The defendant is restricted to their residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

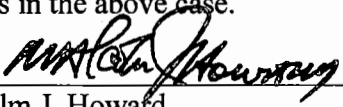
I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/ Maurice J. Foy
Maurice J. Foy
Senior U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8678
Executed On: April 06, 2018

ORDER OF THE COURT

Considered and ordered this 10th day of April, 2018, and ordered filed and made a part of the
records in the above case.



Malcolm J. Howard
Senior U.S. District Judge